REMARKS

Claims 1-33 are now pending in this application. The office action mailed April 22, 2003 rejected claims 1-23. Applicant has amended Claims 11 and 17 to further clarify the subject matter of the claimed invention. Claims 24-33 have been added. No new matter has been added by any of these amendments or new claims. For at least the reasons discussed in detail below, all of the pending claims are patentable and in condition for allowance.

Claim Rejections under 35 U.S.C. §103

Claims 1, 3-10, 17, and 19-21 were rejected under 35 U.S.C. §103(a) as obvious and unpatentable over U.S. Patent No. 6,484,149 to Jammes et al (hereafter Jammes). In addition, claims 11-16 were rejected under 35 U.S.C. §103(a) as obvious and unpatentable over Jammes in view of U.S. Patent No. 6064979 to Perkowski (hereafter Perkowski). Applicant respectfully traverses the rejection under 35 U.S.C. §103.

Independent claim 1 teaches a method for extracting data from a network, comprising, among other elements, "determining a web domain address on the network from which to extract the data, the web domain address having content...." Amended Independent claim 17 provides in part that, "at least a portion of the data is located at the web domain address." In addition, amended independent claim 11 recites a computer-readable medium having computer-executable instructions for extracting data from a network for, among other elements, "locating the content based on the web domain address, wherein at least a portion of the data is located at the web domain address." As these independent claims make clear, the database-structured query treats the content on a network as a searchable database. (See also page 3, lines 2-3).

In contrast, the art of record fails to teach or suggest at least this limitation. As cited by the Office Action, Jammes merely describes a system and method for designing and operating an

OIPE JC32 JUL 18 2003 PATENT & TRADEMARK OFFICE

ctronic store that permits web page information to be extracted on-demand from a product inventory database 116. (Emphasis added). See Jammes' Abstract, and Figure 1. As such, Jammes neither suggests nor teaches treating the network as a searchable database. This distinction is significant because, the Jammes does not treat the web domain address as "having content" as described in claim 1, or such that "at least a portion of the data is located at the web domain address," as described in claims 11 and 17. Rather, Jammes solely employs a database upon which to perform its actions. Thus, Jammes does not teach or suggest all of the claim limitations of the Applicant's invention, as found in independent claims 1, 11, and 17, and therefore is improperly relied upon to make the claims obvious.

The Office Action further states that although Jammes fails to teach the limitation of claim 1 of "extracting data from the determined web domain address based on the database-structured query," it would have been obvious to apply Jammes's teaching of the query to extract product data to the product information database in the same manner as the query to extract group data.

Applicant respectfully submits that it would not have been obvious to modify Jammes as described in the Office Action. Jammes merely discloses extracting of data employing a database. Jammes neither teaches nor discloses extracting data from the determined web domain address itself. That is, Jammes does not teach nor disclose treating the web domain address as a searchable database. Moreover, Jammes's parse_HTTP simply describes decoding of a name/value pair when using an HTTP Common Gateway Interface (CGI). It does not describe the present invention's limitation of extracting data at the web domain address. Therefore, it would not have been obvious to apply Jammes's teaching to reject the claim 1. In addition, because independent claims 11 and 17 include a similar limitation of determining a web domain

address from which to extract the data from, the cited reference is improperly relied upon to reject these claims as well. Therefore, for at least the above reasons, independent claims 1, 11, and 17 are non-obvious and allowable, and the rejections should be withdrawn.

Additionally, because claims 2-10, 12-16, and 18-23 each depend from an allowable independent claim, these dependent claims are also non-obvious and patentable for at least the same reasons given above. Accordingly, the Applicant respectfully requests reconsideration and allowance of claims 1-23.

New Claims:

New claims 24-33 have been added to further refine what the Applicant considers to be within the scope of their invention. No new matter has been added by any of these claims. For example, dependent claims 24-26 each describe the web domain address as further comprising at least one link address having content. As such, these dependent claims further demonstrate that, unlike Jammes, content is obtained at a link address rather than merely a database. Thus, these claims are patentable for at least the reasons given above.

CONCLUSION

In summary, Applicant's claimed invention is not obvious in view of the cited prior art. For at least the reasons noted above it is respectfully submitted that all claims are patentable and that the application is in condition for allowance and should be passed to issue at an early date. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone applicant's attorney at the number listed below.

Respectfully Submitted,

MERCHANT & GOULD P.C.

Jamie Wiegand
Reg. No.: 52,361
Direct Line: 206.342.6288